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cc: order, docket, remand letter  
San Bernardino County Superior  
Court, Fontana, No. UDFS 120036

JS - 6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DEUTSCHE BANK NATIONAL TRUST	)	Case No. EDCV 12-00788 DDP (SPx)
COMPANY, AS INDENTURE	)	
TRUSTEE, ON BEHALF OF THE	)	<b>ORDER GRANTING PLAINTIFF'S MOTION</b>
HOLDERS OF THE ACCREDITED	)	<b>TO REMAND</b>
MORTGAGE LOAN TRUST 2006-1	)	
ASSET BACKED NOTES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
RUBEN ALVARADO, CARLA	)	[Docket No. 6]
ALVARADO,	)	
	)	
Defendants.	)	
	)	

Presently before the court is Plaintiff's Motion for Order  
Remanding Case to State Court ("Motion"). Defendants have not  
filed any opposition.

As Plaintiff explains, there is no federal subject matter  
jurisdiction in this action. Plaintiff's unlawful detainer  
complaint raises only issues of state law, and the amount in  
controversy does not appear to exceed \$75,000. Further, defenses  
and counterclaims based on federal law are insufficient to create  
federal jurisdiction. See U.S. Bank v. Teratytstryan,

1 No. CV 12-2876, 2012 WL 1535453, at \*3 (C.D. Cal. Apr. 30, 2012);  
2 HSBC Bank USA v. Santiago, No. CV 10-04127, 2011 WL 165382, at \*1-2  
3 (C.D. Cal. Jan. 18, 2011). The court therefore grants Plaintiff's  
4 Motion and remands this case to state court.

5  
6 IT IS SO ORDERED.

7  
8  
9 Dated: July 27, 2012



DEAN D. PREGERSON  
United States District Judge